

IN RE: WALDEMAR LUGO ALVAREZ

Bkrtcy. No. 10-02846-ESL

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES  
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Apr 08, 2010</u>	Meeting Date: <u>May 10, 2010</u>	DC Track No. <u>4</u>						
Days from petition date: <u>32</u>	Meeting Time: <u>8:00 AM</u>							
910 Days before Petition: <u>10/11/2007</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Apr 08, 2010 Dkt.# 3</u>	<input type="checkbox"/> Amended.						
This is debtor(s) _____ Bankruptcy petition.	Plan Base: <u>\$260,000.00</u>							
This is the _____ Scheduled Meeting	Confirmation Hearing Date: <u>Jun 02, 2010</u>	Time: <u>2:00 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$0.00</u>
Ck/MO No.	Date	Amount						

I. <b>Appearances:</b>		<input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Video Conference	<input type="checkbox"/> Creditor(s) present: <input type="checkbox"/> None.
<input type="checkbox"/> Debtor Present	<input type="checkbox"/> ID & Soc. OK	<input checked="" type="checkbox"/> Debtor Absent	<u>Hacienda</u>
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent	<u>Firstbank</u>
Debtor(s) was/were	<input type="checkbox"/> Examined <input checked="" type="checkbox"/> Not Examined under oath.		
Attorney for Debtor(s)	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present		
<input type="checkbox"/> Substitute attorney:	<input type="checkbox"/> Pro-se.		

II. Attorneys Fees as per R 2016(b) Statement	Attorney of record: <u>JOSE PRIETO CARBALLO*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$676.00</u> Outstanding: <u>\$2,324.00</u> THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear;	<input checked="" type="checkbox"/> For Failure to commence payments. (1)
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IV. Trustee's Report on Confirmation & Status of §341 Meeting	
Debtor(s) Income is (are) <input type="checkbox"/> Under <input type="checkbox"/> Above Median Income.	Liquidation Value: <u>TBD</u>
Commitment Period is <input type="checkbox"/> 36 <input type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>TBD</u>
<u>The Trustee</u> <input type="checkbox"/> RECOMMENDS <input type="checkbox"/> OBJECTS <u>Plan confirmation.</u>	
§341 Meeting <input checked="" type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input type="checkbox"/> CLOSED <input type="checkbox"/> HELD OPEN FOR ___ DAYS	
§341 Meeting Rescheduled for: <u>JUNE 16, 2010 at 9:00 A.M.</u>	

V. Trustee's OBJECTIONS to Confirmation:	
<input type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED <input type="checkbox"/> To pay \$507 <input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Failure to comply with Tax returns requirements. [§1308]
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3) <input type="checkbox"/> Unfair Discrimination §1322(a)(3)

## ADDITIONAL OBJECTIONS / COMMENTS:

- (1) 10 days to make the first payment.
- (2) This is a self employed debtor who need to complete the required business questionnaire and provide various documents including information of the corporation and of his ~~DSO~~ DSO obligations.
- (3) need to amend ~~Red B22C~~ to list income from family members during the 6 months prior to the filing.

/s/ José R. Carrión  
Trustee

Presiding Officer

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Date: May 10, 2010